

Summary
TEC Tribal Topic Group Conference Call
January 17, 2007

Participants: Jay Jones, Department of Energy (DOE)/Office of Civilian Radioactive Waste Management (OCRWM), chaired the session. Other Topic Group members included Nithin Akuthota (National Conference of State Legislatures, NCSL), Marlene Analla (Pueblo of Laguna), Floyd Chaney (Mohegan Indian Tribe), Sandra Covi (Union Pacific Railroad), Kristen Ellis (DOE/Office of Congressional and Intergovernmental Affairs, CI), Greg Fasano (Bechtel SAIC Company, BSC), Frank Gavigan (Mohegan Indian Tribe), Robert Gruenig (National Tribal Environmental Council, NTEC), Elizabeth Helvey (JK Research Associates/BSC), Brice Kindred (NCSL), Alan Kline (Sac & Fox Tribe), Brad Levine (DOE/Office of General Counsel, GC), Sue Loudner (Pueblo of Acoma), Corinne Macaluso (DOE/OCRWM), J. Michele (Titto) Moses (Confederated Tribes of the Umatilla Indian Reservation, CTUIR), Christina Nelson (NCSL), Cathy Noe (Sac & Fox Tribe), Jennifer Patric (Booz Allen Hamilton, BAH), Stanley Paytiamo (Pueblo of Acoma), Wilda Portner (Science Applications International Corporation, SAIC), Kelly Schott (Sac & Fox Tribe), Curtis Seymour (Sac & Fox Tribe), Bill Spurgeon (DOE/Office of Environmental Management, EM), Pat Temple (BSC), Ken Tiller (Pueblo of Laguna), Christopher Wells (Southern States Energy Board, SSEB), Steve White (National Association of Emergency Medical Technicians, NAEMT).

Responsible Party

Wilda Portner, SAIC

Action to be Taken

Send TEC agenda to Topic Group members.
Send 180(c) paper to Group members again before TEC.

Elizabeth Helvey, JKA/BSC

Send callers copy of Needs Assessment.

Summary:

Jay Jones (DOE/OCRWM) welcomed callers and participants identified themselves. As background for new members, he opened by saying that OCRWM is responsible for shipping high-level radioactive waste and spent nuclear fuel to Yucca Mountain and that OCRWM is trying to get more Tribes involved in the program.

Transportation External Coordination Working Group (TEC) Meeting

Jay reminded callers that the TEC meeting is scheduled for January 31-February 1 in Atlanta, GA.

Tribal Topic Group

The Tribal Topic Group will meet on the first day from 12:30-2 p.m. Wilda Portner will email Group members with a copy of the meeting agenda. The Topic Group meeting will cover the following:

- OCRWM program overview for new members
- DOE Office of Environmental Management (EM) Framework document for implementation of the DOE Indian Policy -- Kristen Ellis (DOE/CI) reported that the Framework document was drafted in coordination with EM Tribes and the DOE State and Tribal Government Working Group (STGWG). Other offices within DOE, Office of Science, Nuclear Energy and the National Nuclear Security Administration, contributed to the document and are circulating it for concurrence. Brandt Petrusek (DOE/EM) is the

primary contact for the document (phone: 202-586-4818; email: albert.petrasek@em.doe.gov).

- Update on Nevada Tribes with cultural and historic ties to Yucca Mountain -- Greg Fasano (BSC) or Bob Lupton (DOE/NV) will provide the update, including meetings on the rail line Environmental Impact Statement (EIS) and the development of Tribal Subgroups. Jay Jones invited new members of the Tribal Topic Group to tour Yucca Mountain (Jay's phone is 202-586-1330; email jay.jones@rw.doe.gov).
- Update on Nuclear Waste Policy Act Section 180(c) by Cori Macaluso (DOE/OCRWM) and Elizabeth Helvey (JK Research Associates/BSC). Section 180(c) requires DOE to provide financial assistance to States and Tribes to effect safe-routine transportation. A discussion paper has been written on this topic and the Tribal Topic Group has provided input. Wilda will forward the paper to Topic Group members before the meeting, and the paper will be provided at the Topic Group meeting in Atlanta as a handout. Comments on the paper should be emailed to Cori and Elizabeth with a "cc" of the email to Jay Jones. Cori informed callers that additional information on the Topic Group and the 180(c) paper can be pulled from the TEC Website at www.TECworkinggroup.org.
- Plans for the spring Tribal Transportation Workshop -- Jay said DOE is planning the workshop for 2 and 1/2 days during the week of April 23 in Denver, CO. Cori Macaluso and DOE intern, Paloma Hill, are responsible for planning activities. The agenda for this workshop will be discussed at the Tribal Topic Group meeting in Atlanta.

Routing Topic Group

Jay said the Routing Topic Group is lacking Tribal participation and invited those on the call to contact him about joining. The Group will begin working on development of routing criteria and will use transportation models to identify a preliminary "suite of routes" for highway and rail transportation routes to Yucca Mountain. The meeting on routing will be held the second day of TEC.

National Transportation Plan

Ward Sproat, OCRWM Director, announced last year and reiterated at an OCRWM meeting on January 17 that development of a National Transportation Plan with input from stakeholders is a key goal of the Office.

Wrap-Up Commentary

Jay opened the floor to comments and questions:

Stanley Paytiamo (Pueblo of Acoma) asked that Jay and Cori elaborate on the fee levels discussed on page 5 of the 180(c) discussion paper. Elizabeth Helvey and Cori responded that the discussion by DOE so far has been that the Department does not want to pay States and Tribes twice for shipping materials through their jurisdictions; fees and 180(c) funds for technical assistance. Currently DOE is not aware of fees imposed by any Tribes; Tribes would need to implement legislature to impose such fees. Stanley said that the Pueblo of Acoma is now developing codes regarding nuclear transport through Tribal lands. Cori responded that DOE will work with each Tribe independently on such matters. Stanley also asked for a hard copy of the Needs Assessment Survey. Cori responded that it is available online. Elizabeth will send callers a copy of the document.

Titto Moses (CTUIR) asked if there are any DOE training facilities besides the HAMMER facility, available for emergency response training. She was referred to Ella McNeil (DOE/EM Transportation Emergency Preparedness Program, TEPP). Ella's phone number is 301-903-7284. Titto said she has discussed training with Marsha Keister (Idaho National Laboratory) as well.

The next Tribal Topic Group meeting will be held January 31 in Atlanta, GA.